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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DOE ET AL,

No. C04-04914 MJJ

Plaintiff,

**ORDER RE PLAINTIFF'S MOTION FOR
ADMINISTRATIVE RELIEF
CONTINUING DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT**

v.
CITY AND COUNTY OF SAN FRANCISCO
ET AL,

Defendant.

Pending before the Court is Plaintiff's Motion for Administrative Relief Continuing Defendants' Motion for Summary Judgment (Doc. #70). The Court has considered the parties' respective positions on the appropriate time for hearing Defendants' Motion for Summary Judgment, and agrees with Plaintiff that such a Motion is premature at this juncture in the case and discovery process and that it does not need to be heard concurrent with Plaintiff's Motion for Class Certification. Accordingly, the Court **DENIES WITHOUT PREJUDICE** Defendant's Motion for Summary Judgment.

IT IS SO ORDERED.

Dated: 9/29/2006



MARTIN J. JENKINS
UNITED STATES DISTRICT JUDGE